

1 ALEX G. TSE (CABN 152348)
2 Acting United States Attorney

3 BARBARA J. VALLIERE (DCBN 439353)
4 Chief, Criminal Division

5 JULIE D. GARCIA (CABN 288624)
6 Assistant United States Attorney

7 450 Golden Gate Avenue, Box 36055
8 San Francisco, California 94102-3495
9 Telephone: (415) 436-6758
10 FAX: (415) 436-7234
11 Julie.Garcia@usdoj.gov

12 Attorneys for United States of America

13 UNITED STATES DISTRICT COURT

14 NORTHERN DISTRICT OF CALIFORNIA

15 SAN FRANCISCO DIVISION

16 UNITED STATES OF AMERICA,) NO. CR 17-394 EMC-2
17 Plaintiff,) NO. CR 17-403 EMC-1
18 v.)
19 OSCAR VANEGAS,) STIPULATION TO CONTINUE STATUS
20 Defendant.) CONFERENCE AND EXCLUDE TIME AND
21) [PROPOSED] ORDER
22)
23)
24)
25)
26)
27)
28)

STIPULATION

21 The parties in the above-captioned matters are set for a status conference on March 28, 2018.

22 The parties now respectfully request that the status conference be continued to April 25, 2018, and that
23 the matter be set for a change of plea on that date. The parties further stipulate that the time between
24 March 28, 2018, and April 25, 2018, should be excluded under the Speedy Trial Act, 18 U.S.C.
25 § 3161(h)(7)(B)(iv).

26 Defense counsel will be out of the office the week of April 2, 2018, and needs additional time to
27 discuss the proposed resolution of the case with the defendant. In addition, defense counsel has an all-
28 day hearing on the Court's next available date of April 18, 2018. Accordingly, excluding time until

1 April 25, 2018, will allow defense counsel the reasonable time necessary for effective preparation,
2 taking into account the exercise of due diligence, and will allow the defendant continuity of counsel.
3 See 18 U.S.C. § 3161(h)(7)(B)(iv).

4 IT IS SO STIPULATED.

5 DATED: March 27, 2018

ALEX G. TSE
Acting United States Attorney

9 DATED: March 27, 2018

7 /s/
JULIE D. GARCIA
8 Assistant United States Attorney

10 /s/
11 SARA RIEF
12 Counsel for Defendant
OSCAR VANEGAS

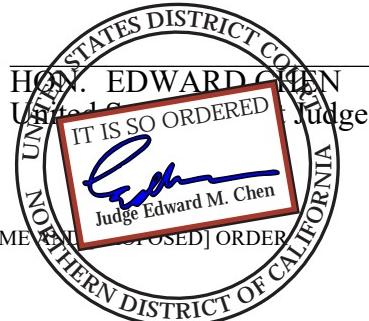
[PROPOSED] ORDER

15 IT IS HEREBY ORDERED that the status conference in the above-captioned matters be
16 continued from March 28, 2018, to April 25, 2018, and that the matters be set for a change of plea on
17 that date.

18 For the reasons given in the parties' stipulation, the Court finds that the exclusion of the period
19 from March 28, 2018, to April 25, 2018, from the time limits applicable under 18 U.S.C. § 3161, is
20 warranted; that the ends of justice served by the continuance outweigh the interests of the public and the
21 defendant in the prompt disposition of this criminal case; and that the failure to grant the requested
22 exclusion of time would unreasonably deny defendant continuity of counsel and deny defense counsel
23 the reasonable time necessary for effective preparation, taking into account the exercise of due diligence,
24 and would result in a miscarriage of justice. See 18 U.S.C. § 3161(h)(7)(A) and (B)(iv).

25 IT IS SO ORDERED.

26 DATED: 3/27/2018



27
28 STIPULATION TO CONTINUE AND EXCLUDE TIME FROM
Case Nos. CR 17-394 EMC-2; CR 17-403 EMC-1